

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

SEP 08 2014

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

BOBBY SHANE CHARLTON,

Plaintiff - Appellant,

v.

OREGON DEPARTMENT OF  
CORRECTION; et al.,

Defendants - Appellees.

No. 14-35450

D.C. No. 6:09-cv-01246-TC  
U.S. District Court for Oregon,  
Eugene

**ORDER**

Appellant Bobby Shane Charlton, prison identification number 11102064, has been granted leave to proceed in forma pauperis in this appeal and has completed and filed the required authorization form directing the appropriate prison officials to assess, collect, and forward to the district court the filing and docketing fees for this appeal pursuant to 28 U.S.C. § 1915(b)(1) and (2). This court hereby assesses an initial filing fee of 20 percent of the greater of (A) the average monthly deposits to the prisoner's account; or (B) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the May 23, 2014 notice of appeal. Appellant is not responsible for

payment when the funds in appellant's prison trust account total less than \$10, but payments must resume when additional deposits are made or funds are otherwise available.

The Clerk shall serve this order and appellant's completed authorization form on the Attorney General for the State of Oregon, who shall notify the appropriate agency or prison authority responsible for calculating, collecting, and forwarding the initial payment assessed in this order and for assessing, collecting, and forwarding the remaining monthly payments of the fee to the district court for this appeal. *See* 28 U.S.C. § 1915(b)(2). Each payment should be accompanied by the district court and appellate docket numbers for this appeal and a record of previous payments made for this appeal.

The Clerk shall also serve a copy of this order on the clerk and the financial unit of the district court.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Cyntharee K. Powells  
Deputy Clerk

Case: 14-35450 09/08/2014 ID: 9231447 DktEntry: 12-1 Page: 1 of 1 (1 of 3)

Case: 14-35450 08/20/2014 ID: 9212451 DktEntry: 10-2 Page: 15 of 13  
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U.S. COURT OF APPEALS

AUG 29 2014

## PRISONER AUTHORIZATION FORM

FILED  
DOCKETED  
DATE  
INITIAL

I, BOBBY S. CHARLTON, am the appellant in  
BOBBY CHARLTON V. Oregon Department of Corr. et al., docket number 14-35450.

I understand that I am required by statute to pay the full amount of the \$505.00 docketing and filing fees for this appeal, regardless of my forma pauperis status, and regardless of the disposition of this appeal. I hereby authorize the prison officials at this institution to assess, collect, and forward to the district court the full amount of these fees, in monthly increments based on 20 percent of the average of deposits to or balance in my prison trust account, subject to the provisions set forth in 28 U.S.C. § 1915(b).

I understand that I am not responsible for payment when the funds in my trust account total less than \$10, but that payments will resume when additional deposits are made or funds are otherwise available.

NAME BOBBY CHARLTON  
 SIGNATURE Bobby Charlton  
 DOCKET NO. 14-35450  
 PRISONER I.D. NO. 11102064  
 PRISON FACILITY O.S.C.I  
 ADDRESS 3405 Deer Park Dr. S.E.  
Salem, OR 97310  
 DATE 8-25-14

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M.C.